

# FEDERAL COMMUNICATIONS COMMISSION

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MAR 07 2012

Jacobs Radio Programming, LLC  
3902 W. Clearwater Avenue  
Suite 111  
Kennewick, WA 99336

In Re: K295BP/K296GF, Kennewick, WA  
Facility ID # 156733  
BPFT-20111219AAF  
BLFT-20120208AEA

Petition for Reconsideration

Dear Applicant:

The staff has under consideration: (1) the above captioned construction permit to operate on channel 296; (2) the Petition for Reconsideration of the grant of BPFT-20111219AAF filed by Alexandra Communications, Inc. ("ACI") on February 17, 2012; (3) the above captioned license application; (4) all related pleadings. For the reasons set forth herein, we grant the Petition for Reconsideration, rescind the grant of the construction permit, dismiss the application BPFT-20111219AAF and dismiss the license application BLFT-20120208AEA.

ACI, licensee of K295AV, Walla Walla, Washington, filed a Petition for Reconsideration of the grant of BPFT-20111219AAF stating that the proposed channel change will cause interference to listeners of the first adjacent channel K295AV. ACI states that this proposed facility is in violation of Section 74.1204(f). In order to provide convincing evidence under Section 74.1204(f) that grant of the translator construction permit "will result in interference to the reception" of an existing full-service station, an opponent must provide, at a minimum: (1) the name and specific address of each listener for which it claims credit; (2) some demonstration that the address of each purported listener falls within the 60 dB $\mu$  contour of the proposed translator station;<sup>1</sup> (3) some evidence, such as a declaration from each of the claimed listeners, that the person listens to the full-service station at the specified location; and (4) evidence that grant of the authorization will result in interference to the reception of the "desired" station at that

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<sup>1</sup> The best method is to plot the specific addresses on a map depicting the translator station's 60 dB $\mu$  contour.

location. The “undesired-to-desired” (“U/D”) signal strength ratio methodology may be used to demonstrate the potential for interference under Section 74.1204(f).<sup>2</sup> Section 74.1204(f) requires the objector to show that a specific U/D signal strength ratio is exceeded at the location of a *bona fide* listener of the desired station to establish that interference will result.

The petitioner submitted documentation from four listeners, David Griffith, Robert O. Smasne, Amber Martin and Mike Moore, that certified and they are listeners of K295AV and live within the 60 dBu contour of proposed translator. Since the Petitioner has demonstrated that these four listeners are within the proposed 60 dBu contour of K295BP, the grant of BPFT-20111219AAF is rescinded and dismissed.

Accordingly, the Petition for Reconsideration filed on February 17, 2012 by ACI IS HEREBY GRANTED, the grant of BPFT-20111219AAF IS HEREBY RESCINDED AND DISMISSED and BLFT-20120208AEA IS HEREBY DISMISSED. These actions is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Bradshaw", is positioned above the printed name.

James D. Bradshaw  
Deputy Chief  
Audio Division  
Media Bureau

cc: Thomas D. Hodgins (by email: tomh@pocketinet.com)

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<sup>2</sup> See *The Association for Community Education, Inc.*, FCC 04-155, Para. 13, (rel. July 8, 2004).